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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,788	02/06/2004	Radhika R. Roy	113394 CON	7907
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AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921				
EXAMINER				
DUONG, DUC T				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/773,788

Applicant(s)

ROY, RADHIKA R.

Examiner

Duc T. Duong

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-12, 15-20 and 22-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12, 15-19 and 28 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-11, 20, 22-27 and 29-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 28, 2008 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-3, 5-11, 20, 22-26, and 30-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Galasso et al (US Patent 6,374,302 B1).

Regarding to claims 1 and 30, Galasso discloses a method (fig. 3-4) for use in a communication system in which at least first 550, second 570, and third gatekeepers 560 are each connected to one or more associated subscriber terminals via one or more networks (note that each of these gatekeepers 550/560/570 are connected to one or more associated subscriber terminals in a sense that they links together with one another to connect to the subscriber terminals in zone 510-540 to provide address queries), in which each of the at least first, second and third gatekeepers has a respective associated database 555/565/575, and in which each of the at least first, second and third gatekeepers, in response to a request for information from a requesting one of its associated subscriber terminals, provides the requested information from that gatekeeper's associated database to the requesting subscriber terminal if that gatekeeper's associated database contains the requested information, the method comprising the first gatekeeper 550 receiving from a requesting 620 one of its associated subscriber terminals (in zone 510-520) a request for information that is not contained in the database 555 associated with the first gatekeeper (col. 7 lines 59-64); the first gatekeeper sending the request 630 only to the second gatekeeper 570 (col. 7 lines 62-67), if the information is not contained in the database 575 associated with the second gatekeeper (col. 7 lines 44-47), the second gatekeeper sending the request only to the third gatekeeper 560 (col. 7 lines 48-52), and if the information is contained in the database 565 associated with the third gatekeeper, the third gatekeeper sending the information to the first gatekeeper (col. 8 lines 1-7).

Regarding to claim 20, Galasso discloses a communication system (fig. 4) comprising at least first through third gatekeepers 550/560/570 and a plurality of communicating entities (subscriber terminals in zone 510-540), said first through third gatekeepers being adapted to receive and transmit signaling messages among themselves and each of the first through third gatekeepers being adapted to receive and transmit signaling messages between itself and associated ones of the communicating entities and each of the first through third gatekeepers being further adapted to established communication between said its associated communicating entities (col. 5 lines 20-26), wherein said first gatekeeper 550 directly communicates gatekeeper-to-gatekeeper information request signaling messages only with said second gatekeeper 570, said second gatekeeper directly communicates gatekeeper-to-gatekeeper information request signaling messages with said first gatekeeper and said third gatekeeper 560, said third gatekeeper directly communicates gatekeeper-to-gatekeeper information request signaling messages with said second gatekeeper but not with said first gatekeeper (col. 7 lines 44-55), said first, second and third gatekeepers all being at a single gatekeeper hierarchical level within said communication system (noted all three gatekeepers 550/560/570 are arrange as a single gatekeeper hierarchical level as master gatekeeper).

Regarding to claims 2 and 31, Galasso discloses the third gatekeeper sends the information to the first gatekeeper via the second gatekeeper (fig. 3 col. 7 lines 44-55).

Regarding to claims 3, 7, 9, 34, and 36, Galasso discloses each of said first, second, and third gatekeepers communicate with respective subscriber terminals (fig. 2 col. 4 lines 53-57).

Regarding to claims 5, 22, and 32, Galasso discloses the requested information is an address (col. 4 lines 55-57).

Regarding to claims 6, 8, 23, 33, and 35, Galasso discloses the address is a network address or resource (col. 4 lines 57-60).

Regarding to claims 10, 24, and 37, Galasso discloses the resource is a port, a link, or a trunk (col. 5 Table 1).

Regarding to claims 11, 25, and 38, each of the gatekeepers is adapted to use signaling messages conforming to International Telecommunications Union standard H.323 to receive and transmit information between at least itself and its respective subscriber terminals (col. 5 lines 11-15).

Regarding to claim 26, the communicating entities are terminals, gateways, multipoint control units or communication networks (fig. 1-3 col. 4 lines 41-49).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galasso in view of Maheny et al (US Patent 5,790,536).

Regarding to claims 27 and 29, Galasso discloses all the limitations with respect to claims 3 and 20, except for the first gatekeeper is adapted to cache the information received by the first gatekeeper so that if said first gatekeeper is again requested for said information, said first gatekeeper will be able to provide said information to the source of the request.

However, Mahany discloses a hierarchical communication system, wherein at least one of said plurality access devices is configured to selectively store (cache) requested data (information) for future forwarding requested data (col. 4 lines 43-50).

Thus, it would have been obvious to a person of ordinary skill in the art to employ the storing of information for future reference as taught by Mahany into Galasso's system so that the communication pathway from the source of the request to the gatekeeper will be shorten.

Allowable Subject Matter

6. Claims 12, 15-19, and 28 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach or make obvious the steps of or means for **"receiving at said gatekeeper from a second gatekeeper a request for information that is not known by said gatekeeper"**, when the receiving is considered within the specific structure of the device recited in claim 12.

Response to Arguments

7. Regarding applicant's argument on page 11, Galasso fails to teach for each gatekeeper 550/560/570 is **associated** with one or more subscriber terminals. In

response, the examiner would like to point out each of these gatekeepers 550/560/570 are connected or **associated** to one or more subscriber terminals in a sense that they links together with one another to connect or associate to the subscriber terminals in zone 510-540 to provide address queries. The linking of these gatekeepers provides the connection or association to subscriber terminals as claimed. Furthermore, the examiner would like to point out the word “**associated**” in the claim does not have specific structure or function, and therefore the examiner has given the broadest interpretation to the claimed limitation. Thus, based on the reasons set forth here the rejections are maintained.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is (571)272-3122. The examiner can normally be reached on M-F (8:00 AM-5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Art Unit: 2619

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. T. D./

Examiner, Art Unit 2619